



## Development Services Department

May 26, 2006

# NOTICE OF VIOLATION

**Location: Location of the Noticed URM Building**

APN: Assessor Parcel Number

Owner: Owner Name

Address: Owner Address

City, State, Zip Code

**YOU ARE HEREBY NOTIFIED OF THE FOLLOWING VIOLATION OF THE SAN DIEGO MUNICIPAL CODE [SDMC], CHAPTER 14, ARTICLE 5, DIVISION 4, BUILDING REGULATIONS FOR ARCHAIC MATERIALS AND METHODS OF CONSTRUCTION, ALSO KNOWN AS UNREINFORCED MASONRY [URM] ORDINANCE, IN REFERENCE TO URM BUILDING SHOWN ON THIS NOTICE.**

Adopted by City Council on November 9, 1992, the "Earthquake Hazard Reduction in Existing Buildings" ordinance established a program for mitigation of seismic hazards associated with buildings containing unreinforced masonry bearing walls. The ordinance requires some mandatory strengthening of all unreinforced masonry [URM] buildings. [SDMC, Secs. 145.0406, 145.0410]. It also contains trigger mechanisms which may lead to partial or complete seismic retrofit of the building. [SDMC, Secs. 145.0407, 145.0408, 145.0411].

On September 11, 2000, the property owner of record at that time was sent a "Date of Service Notification" that established January 1, 2001 as the date of service from which the property owner had five years to comply with the mandatory seismic strengthening provisions of Unreinforced Masonry Ordinance of the City of San Diego.

On August 5, 2005, a letter was mailed to the property owner as a reminder that the compliance date was January 1, 2006. This letter also advised them of the program in place for expedited plan review, permit issuance and inspection of seismic retrofit projects.

On November 1, 2005, a second and final notice was mailed to the property owner to remind them of the January 1, 2006 compliance date. This letter also stated the consequences for failure

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to comply with the mandatory seismic strengthening provisions of the Unreinforced Masonry Ordinance.

As the owner of the Unreinforced Masonry [URM] building listed on this notice, you were required to comply with the mandatory seismic strengthening provisions of the City of San Diego URM Ordinance by January 1, 2006. The Development Services Department has no records, showing as proof that this URM building has complied with the mandatory provisions of the URM Ordinance.

**IN ORDER TO COMPLY WITH THE LAW YOU SHALL:**

1. Submit a 'Letter of Intent' to the Building Official no later than **June 30, 2006**, outlining scheduled plan of actions which will be taken by you to mitigate seismic hazards associated with the building listed herein, in order to comply with the mandatory seismic strengthening provisions of the URM Ordinance.
2. Submit construction plans, structural calculations and all other associated reports for the proposed mandatory seismic strengthening work to Development Services Department no later than **September 29, 2006**.
3. Obtain a Building Permit for mandatory seismic strengthening work no later than **December 1, 2006**.
4. Complete construction of the mandatory seismic strengthening work specified in the permitted plans no later than **one year** from the date the building permit was issued.

Note: Work is construed to be completed when the 'Final Inspection' is passed granting final approval of the permit by the City Structural Building Inspector.

5. If you have already complied with the mandatory seismic strengthening provisions of the URM Ordinance and still received this 'Notice of Violation', please submit a Letter of Proof of Compliance, no later than **June 30, 2006**. The letter must reference a permit number for the seismic strengthening work completed, and a copy of the City Inspection Record Card showing final inspection approval by the City as evidence of compliance.

**REQUEST FOR EXTENSION:**

You may submit a written request for an extension of time for compliance with the mandatory provisions of the URM Ordinance. The request shall include a statement that you will comply (Letter of Intent) with this Notice of Violation but need an extension of time (to a specific date) for reasons you must identify. The extension will only be granted if the reasons for it are beyond your control and only if conditions at the site can justify it.

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A Letter of Intent and written request for an extension shall be submitted no later than **June 30, 2006** to: Development Services Department, URM Program Coordinator, Attn: Mehdi Shadyab, P.E., 9601 Ridgehaven Court, Suite 220, Mail Station 1102B, San Diego, CA 92123.

**FAILURE TO COMPLY WITH THIS NOTICE OF VIOLATION BY THE PRESCRIBED DEADLINES MAY BE CAUSE FOR SEEKING ENFORCEMENT REMEDY BY MEANS INCLUDING, BUT NOT LIMITED TO, CRIMINAL PROSECUTION, CIVIL INJUNCTION, ADMINISTRATIVE ABATEMENT, CIVIL PENALTIES AT A MAXIMUM RATE OF \$2,500 PER DAY NOT TO EXCEED \$250,000 PER PARCEL OR STRUCTURE, ADMINISTRATIVE CITATIONS, REVOCATION OF PERMITS, RECORDATION OF THE NOTICE OF VIOLATION, AND WITHHOLDING OF FUTURE MUNICIPAL PERMITS.**

For information about the City of San Diego Unreinforced Masonry Program and, Business Improvement District Council providing assistance including a list of qualified structural engineers, licensed contractors and URM specific loan program, please visit the Development Services web site at <http://www.sandiego.gov/development-services/industry/urm.shtml> .

Should you have any questions or need further assistance, please contact Mehdi Shadyab, P.E., Department URM Program Coordinator, at (858) 573-1233.

Sincerely,



Isam Hasenin, P.E., C.B.O.  
Chief Building Official

MS/ms

cc: File

This information will be made available in alternative formats upon request.